



COPY OF PAPERS
ORIGINALLY FILED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hellig, et al.

Title: **SYSTEM FOR FORMING A SEMICONDUCTOR DEVICE AND METHOD THEREOF**

App. No.: 10/058,854

Filed: 01-28-2002

Examiner: Dickey, Thomas L.

Group Art Unit: 2826

Atty. Dkt. No. 1458.TT4962

#4/Election
PATENT
9/24/02
Jm th
RECEIVED
SEP 20 2002
TECHNOLOGY CENTER 2800

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on <u>9-11-02</u>	
Terri Alloway Typed or Printed Name	<u>Terri Alloway</u> Signature

Assistant Commissioner for Patents

Washington, D.C. 20231

RESPONSE TO EXAMINER'S RESTRICTION REQUIREMENT

Dear Sir:

REMARKS

The Office has restricted the claims 1-14 of this application into Groups I (6-14) and II (1-5).

Applicants elect the claims of Group I (6-14) and provisionally withdraw the non-elected claims of Group II. The restriction is respectfully traversed in order to preserve the issue for subsequent petition since the examination of all of the claims 1-14 does not create an undue burden on the Office and that the subject matter among the groups is not independent and distinct as required by statute. Furthermore, different classifications as recited by the Office are not in and of itself adequate grounds for restriction since the Office has historically allowed many applications containing (method and apparatus system) claims in one patent application.

Application No: 10/058,854

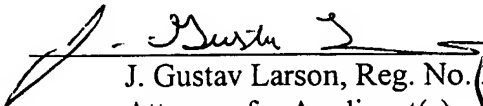
The Applicants further disagree with the characterizations relied on by the Office to support distinctness of the groups.

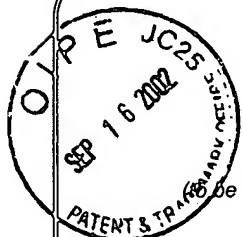
In summary, Applicants have elected the claims of Group I for further prosecution and provisionally withdrawn the non-elected claims from consideration. Reconsideration and further prosecution on the merits of at least claims in Group II is respectfully requested.

Respectfully submitted,

9-11-02

Date


J. Gustav Larson, Reg. No. 39,263
Attorney for Applicant(s)
Simon, Galasso & Frantz, PLC
P.O. Box 26503
Austin, Texas 78755-0503
(512) 336-8957 (phone)
(512) 336-9155 (fax)



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 10/058,854

Filing Date 01/28/2002

First Named Inventor Hellig, et al.

Group Art Unit 2826

Examiner Name Thomas L. Dickey

Total Number of Pages in This Submission 3

Attorney Docket Number 1458.TT4962

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

Remarks

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

Return Receipt Postcard

Response to Restriction Requirement

RECEIVED
SEP 20 2002
TECHNOLOGY CENTER 1800

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

J. Gustav Larson, Reg. No. 39,263

Signature

J. Gustav Larson

Date

9-11-02

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 9-11-02

Typed or printed name

Terri Alloway

Signature

Terri Alloway

Date

9-11-02